

CLASSIFICATION OFFICE DECISION

Title of publication: Sex Little Boy and Girl 13.jpg

Other known title(s): Not stated

OFLC ref: 1001165.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court at Manukau

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 29 July 2010

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file depicts a sexualised image of a naked boy and girl who appear to be older children or younger teenagers. The image is composed with their bodies positioned so that their genitals are clearly visible. The intended purpose of the publication is to sexually arouse viewers with a prurient interest in children. It supports the notion that children and young persons are legitimate subjects for adult sexual arousal. As such it promotes and supports the exploitation of children and young persons for sexual purposes, and is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children and young persons for sexual purposes.